Transport Canada Transports Canada

TP 1624

Marine Casualty Investigations

Enquêtes sur les accidents maritimes

Investigation Report to the Minister pursuant to sections 542 or 545 of the Canada Shipping Act

Rapport d'investigation au Ministre conformément aux articles 542 ou 545 de la Loi sur la marine marchande du Canada

Canada

Ce rapport est aussi disponible en français.

REPORT OF INVESTIGATION INTO THE CIRCUMSTANCES ATTENDING THE DISAPPEARANCE OF THE TWO OCCUPANTS FROM A SMALL OPEN BOAT WHILE FISHING IN THE ROBINSONS HEAD AREA OF THE PORT AU PORT PENINSULA, NOVEMBER 27, 1987.

REPORT No. 513

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REPORT OF INVESTIGATION INTO THE CIRCUMSTANCES ATTENDING THE DISAPPEARANCE OF THE TWO OCCUPANTS FROM A SMALL OPEN BOAT WHILE FISHING IN THE ROBINSONS HEAD AREA OF THE PORT AU PORT PENINSULA, NOVEMBER 27, 1987.

Particulars of Vessel

Name	Unnamed
C.F.V. Number	099089
Gross Tonnage (calculated)	1.299
Length	5.72 m
Breadth	1.82 m
Depth	0.64 m
Type	Open flat-bottom speedboat wood construction
Built	1983
Propulsion	25 h.p. Suzuki
Crew	2
Owner	Wilson Gaudon Port au Port Newfoundland

Background

Two licensed fishermen, one from Kippens and the other from Port au Port on the Port au Port Peninsula, west coast of Newfoundland, departed the Gravels Beach small boat slip shortly after 1230 November 27, 1987, to jig some fish for their own use.

The two men were fishing in St. George's Bay from an open flat-bottom boat owned and built by one of them. When they had not returned by 1630, the owner's son became concerned and went in search of them. He was unable to locate his father and a full-scale search was initiated by the Canadian Coast Guard Search and Rescue.

The following morning the boat used by the two men was found swamped, but there was no trace of the occupants who are believed to have drowned.

Particulars of Missing Persons

Name:	Wilson J. Gaudon	Patrick O'Quinn
Age:	69	56
Position:	Owner/Operator	Crewman/Friend
Address:	Port au Port Newfoundland	Kippens Newfoundland

Narrative

A licensed full-time fisherman and a friend, a licensed part-time fisherman, had planned a cod jigging trip in the waters of St. George's Bay on the west coast of Newfoundland, to supply their own fishing needs for the winter months. Even though early on November 27, 1987, the weather and seas were considered good, the air temperature was well below 0°C; it was decided to postpone their departure until later in the day when it was expected to be warmer.

Shortly after 1230 on that date, in -3°C air temperature, sunny skies and light westerly winds of 0-5 knots, they departed from the Gravels Beach small boat slip, in the 5.7 m open flat-bottomed wooden boat owned and built by Mr. Gaudon, one of a number he had built over the years. It was powered by a 25 h.p. Suzuki outboard motor.

Mr. Gaudon and his friend, Mr. O'Quinn, both held groundfish licences but a licence to jig cod was not required by regulation to fish for their own needs. The boat was not licensed as is required by Part 1 of the Small Vessel Regulations made pursuant to the Canada Shipping Act; however, it did have its former commercial fishing registration number still showing. The two were reportedly planning to fish in the area off Robinsons Head, south-west of Stephenville.

By 1630 that afternoon, with darkness approaching, Mr. Gaudon's son became concerned when his father had not returned. He decided to go out in his speedboat to search for him, accompanied by another fisherman and friend of the family. Having nearly exhausted the fuel supply during a futile search, they were forced to return for fuel. While refueling the younger Mr. Gaudon arranged the assistance of several other small boat fishermen who joined in the search. With a clear moonlit sky and good weather conditions, the flotilla of small open boats continued the search.

At 2020, Stephenville Coast Guard Radio (VOJ) received a call reporting the overdue boat. The Marine Rescue Sub Centre (MRSC) at St. John's was informed and a formal search and rescue plan was quickly initiated and put into operation.

Although several marine and air resources were tasked, the results of the search were negative. The next morning, at 0852, the RU303 helicopter, one of the air resources involved in the search, sighted an upright boat awash, which was later identified as that of Mr. Gaudon, south of Indian Head near the entrance to Stephenville harbour. About one hour later, the RU455 fixed wing Buffalo aircraft sighted two life vests about two miles south of Indian Head.

Weather conditions remained good throughout the day of November 28. However, no trace of the missing men was found and at 1700, after an extensive search of the area, the case was handed over to the RCMP as a 'missing persons' case. Search efforts continued over the next several days with negative results. At the time of writing this report, Mr. Gaudon and Mr. O'Quinn remain missing and are presumed to have drowned.

Analysis

1. Weather

On November 27, 1987, weather conditions were extremely good. Early morning cold temperatures began to rise to seasonal by mid-morning with sunny skies and light westerly winds 0-5 knots. Seas were calm with a very light ripple. By noon the ambient air temperature had risen to about -3°C.

Although at first meeting early that morning, Mr. Gaudon and Mr. O'Quinn had decided to delay their departure due to cold temperature, several other small boat fishermen of the area departed Gravels Beach on their intended voyages. Many of those fishermen had nets set and went to check them, but most of them had returned by noon.

2. Search and Rescue Operation

At 2020 Stephenville Coast Guard Radio was notified of an overdue boat with two persons on board. They contacted the Marine Rescue Sub Centre at St. John's and a formal search began. The RCMP detachment at Stephenville had also been notified. Several local longliners in the Stephenville area were tasked including the Canadian Marine Rescue Auxiliary (CMRA) longliner "MICHAEL MARIE II". The nearest Coast Guard vessel, "JACKMAN", was tasked from Port aux Basques. Weather conditions remained good and support aircraft were requested.

A fixed wing Buffalo aircraft RU455 was tasked from Summerside, P.E.I. and a RU303 helicopter from Gander,

Newfoundland. They were joined by a Canadian Aviation Search and Rescue Auxiliary (CASARA) Cessna from Stephenville. Throughout the night and early morning the aircraft flew a search pattern while dropping flares. The longliners, aided by the light from the flares and utilizing radar, searched the Bay with negative results. A shoreline search was organized by the RCMP and it began at daylight.

The boat was sighted awash at 0852 on November 28, 1987, and the CCGS "JACKMAN" proceeded to its position and recovered the boat. It was subsequently identified as that of Mr. Gaudon. The fast rescue craft deployed from the "JACKMAN" recovered the two life vests from the water about an hour later, after they had been sighted by RU455.

The search continued throughout the day. Divers were used to search the area where the boat had been located. The results were negative and at 1700 the case was handed over to the RCMP as a 'missing persons' case. On November 29, 1987, the RCMP, aided by volunteers, continued a shoreline search; the police helicopter was also utilized. Again, the results were negative.

3. Boat and Motor

The 5.7 m dory-like wooden open flat-bottom boat is typical of boats used in the area. It was built by its owner, one of many he had constructed over the years. It was not inspected by Ship Safety Branch of the Canadian Coast Guard nor was it required to be by regulation. The boat had been registered for several years as a commercial fishing vessel and the allocated fishing licence number was painted on the transom. The vessel's licence had not been renewed for 1987. At the time, both men were fishing for their own supply of food and as such, were not required to have any licences pertinent to the commercial fishery.

The boat was powered by a 25 h.p. Suzuki outboard motor. The boat and motor were reportedly in good condition which was evident when the boat was recovered (see photographs). When recovered, the undamaged boat had its venturi plug unshipped but it was in the boat attached by a lanyard. The motor was in position affixed to the transom. The throttle was set between 'slow' and 'start' and the gear was in the 'neutral' position. The fuel tank was resting on the bottom of the boat with the filler cap removed and lying beside it. It was filled with seawater and the fuel supply line had made several turns around the outboard motor indicating it had

floated about before filling with water.

Other items found on board were:

1 splitting knife

1 filleting knife

1 gutted codfish

1 milk crate (plastic)

1 magnetic compass

1 grapnel and rope

1 mast and sail

3 safety torches (road type)

2 hand-held flares still in their wrappings

5 cod jiggers and 3 reels

several tools

forward painter and several small lines

Two life vests were recovered from the water two miles south of Indian Head about an hour after the boat was located.

The outboard motor was later connected to another fuel supply and started easily when tested. Missing from the boat but reportedly on board at departure from Gravels Beach were two oars and a 22.73 litre plastic pail. There was no indication of what might have happened on board and in the absence of any witnesses, the exact cause of the casualty will never be known.

It appears there might have been a fuel problem and the motor in 'neutral' with the throttle set between 'slow' and 'start' indicates that the boat would have been stopped. Whether the venturi plug had been removed prior to that cannot be determined. Being fitted with a lanyard, it could have been displaced by the operator's foot as he attended to any problem with the fuel tank.

How both men entered the water could not be determined. The boat did not capsize as indicated by the list of contents found in it. It is possible that one man fell overboard while the boat was stopped to attend to a fuel

problem and the second man fell overboard while trying to assist him.

4. **Survival/Distress Equipment**

The vessel was engaged in a non-commercial fishing expedition and was thus a pleasure craft at the time of the casualty.

As stated in Analysis 3, two marine hand-held flares were found in the boat upon her recovery by CCGS "JACKMAN" and two lifejackets from the boat were later recovered from the water in the same area. It was reported that two oars and a plastic pail had also been on board the boat on her departure from Gravels Beach. The vessel would thus have complied with the provisions of the Small Vessel Regulations in respect of the survival/distress equipment required to be carried by a vessel of her type and length.

5. **Survival**

During the search effort, the seawater temperature recorded in the area was 2.5°C. The ambient air temperature taken at the same time was +1.4°C. A Canadian Red Cross Society publication entitled 'Cold Water Survival" shows that an average person's chances of survival in a sea temperature of +2.5°C is strong if rescued immediately and they can help themselves, for up to about 20 minutes. After 20 minutes and up to one hour and ten minutes persons have a limited chance of survival. Those averages would vary depending on the physical condition of the persons, their age, whether injuries had been sustained and weather conditions at the time (see Annex I).

6. **Experience**

Both men were considered to be experienced small boat fishermen, having been involved in that occupation, one full-time, the other part-time. Both were reportedly in good health and physical condition. They were reportedly wearing skidoo suits under rubber foul weather suits. Mr. Gaudon, although he could swim at one time, was not an accomplished swimmer while Mr. O'Quinn was not a swimmer.

Findings

On November 27, 1987, two men fishing from an open boat in the waters of St. George's Bay off the west coast of Newfoundland, went missing and are presumed drowned. In the

absence of any witnesses it would appear that while attending to a possible fuel problem, one man fell overboard. In an effort to help his friend, the other man also fell overboard.

It would appear that, having fallen overboard, they lost their lives due to the following contributory factors:

- the cold temperature limited their survival time;
- as the weather was good, neither of them wore any form of flotation device thereby further reducing their survival time;
- both were warmly dressed in heavy clothing and wearing rubber protective suits thus restricting their agility and making them heavy when waterlogged; and
- neither man was considered an accomplished swimmer.

Other Findings

The boat had not been licensed as required by the Small Vessel Regulations made pursuant to the Canada Shipping Act.

MARINE CASUALTY INVESTIGATIONS
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OTTAWA, ONTARIO
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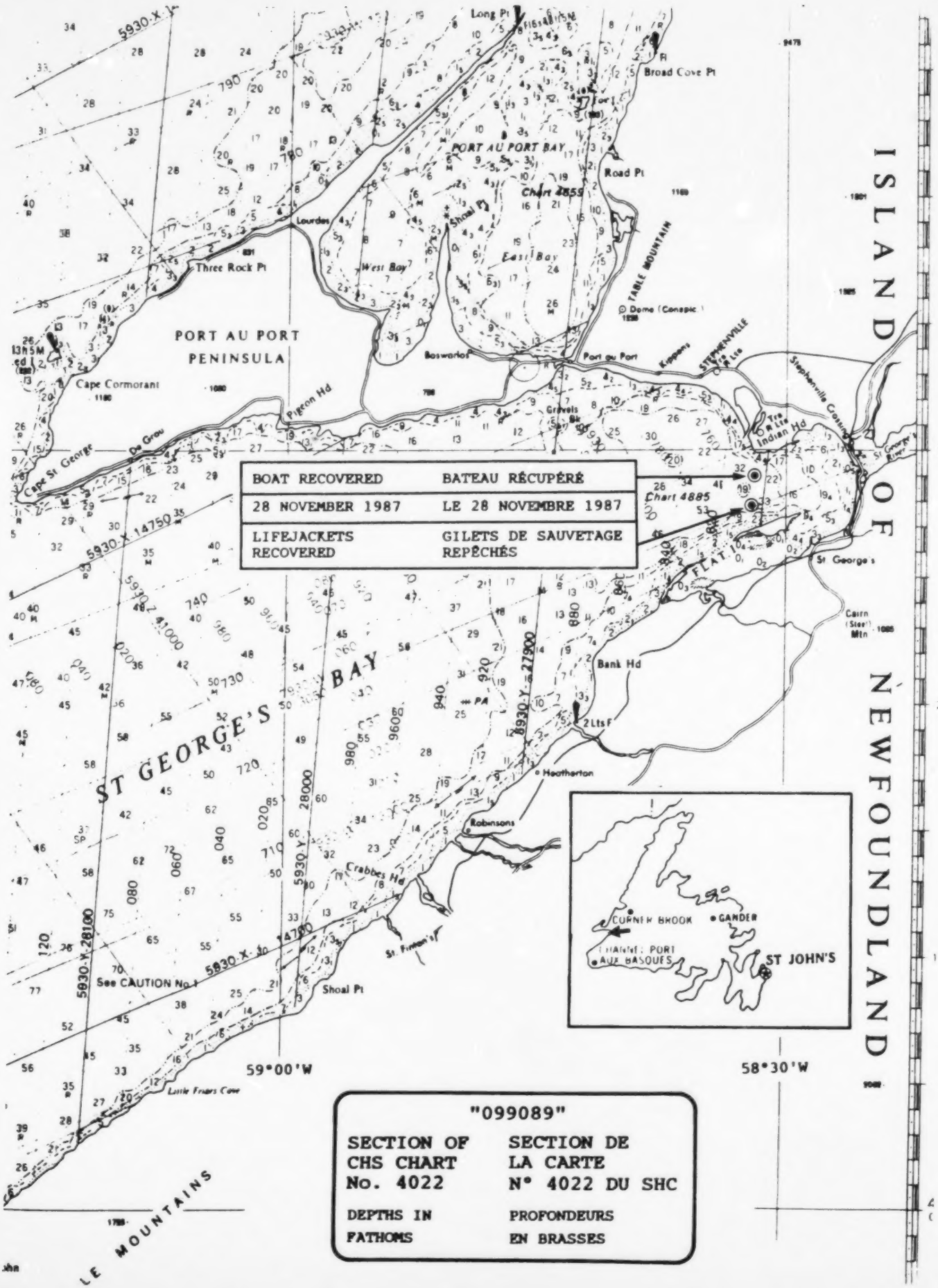
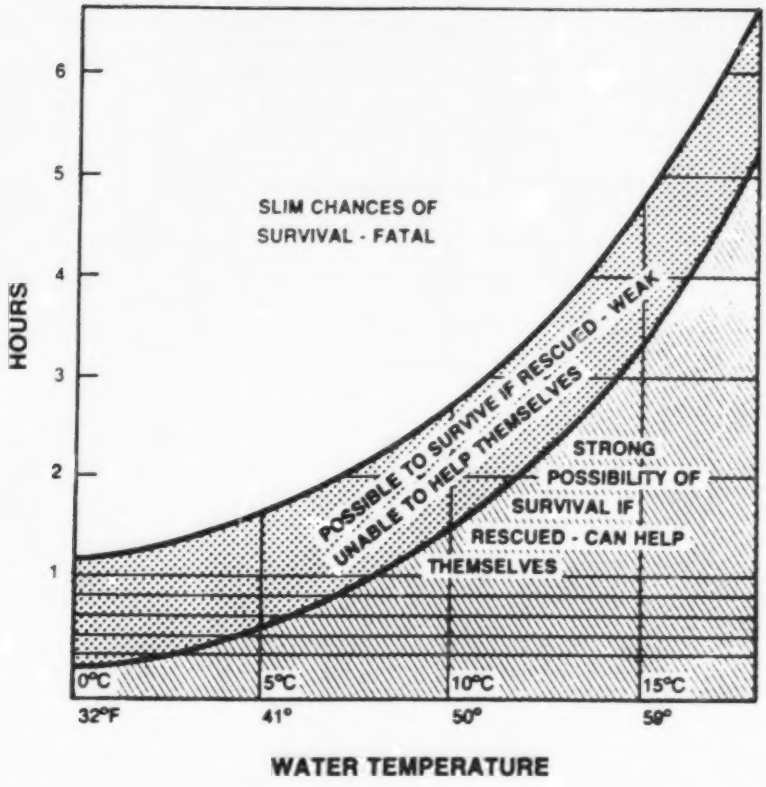
JANUARY 1989


ISLAND OF NEWFOUNDLAND
PORT AU PORT PENINSULA
ST GEORGE'S BAY
PORT AU PORT BAY
Long Pt
Broad Cove Pt
Road Pt
Shoal Pt
Lourdes
West Bay
East Bay
Three Rock Pt
TABLE MOUNTAIN
Dome (Conspic)
Bosworlos
Port au Port
Kippens
STEPHENVILLE
Stephenville Crossing
Cape Cormorant
Pigeon Hd
Cape St George
Du Grou
Gravels
Tea Kettle Indian Hd
St George's
FLAT IS
Cairn (Steel) Mtn
Bank Hd
2 Lts F
Heatherton
Robinsons
Crabbes Hd
St Fintans
Shoal Pt
See CAUTION No 1
Little Friars Cove
LE MOUNTAINS
59°00'W
58°30'W
Chart 4855
Chart 4885
5930-X
5930-Y
14750
14700
27900
28000
28100
BOAT RECOVERED
BATEAU RÉCUPÉRÉ
28 NOVEMBER 1987
LE 28 NOVEMBRE 1987
LIFEJACKETS RECOVERED
GILETS DE SAUVETAGE REPÊCHÉS
CURNER BROOK
GANDER
PORT AUX BASQUES
ST JOHN'S
"099089"
SECTION OF CHS CHART No. 4022
SECTION DE LA CARTE N° 4022 DU SHC
DEPTHS IN FATHOMS
PROFONDEURS EN BRASSES

ANNEX I

COLD WATER SURVIVAL



The accompanying graph shows average predicted survival times of average, adult humans in water of different temperatures. The figures are based on experimental cooling of average men and women who were holding still in ocean water and wearing a standard lifejacket and light clothing. The graph shows, for example, that predicted survival time is about 2½-3 hours in water of 10°C (50°F). Predicted survival time is increased by extra body fat and decreased by small body size. Although women generally possess slightly more fat than men, they cool slightly faster due to their usually small body size. However, for comparable sizes, the man will cool faster.

"COLD WATER SURVIVAL"
CANADIAN RED CROSS

ANNEX II

CHAPTER 1487

CANADA SHIPPING ACT

Small Vessel Regulations

REGULATIONS RESPECTING SMALL VESSELS

Short Title

1. These Regulations may be cited as the *Small Vessel Regulations*.

Interpretation

2. (1) In these Regulations,

"pleasure craft" means a boat, vessel or any other description of water craft that is used exclusively for pleasure and does not carry passengers or goods for hire, reward, remuneration or any object of profit; (*embarcation de plaisance*)"

PART I

LICENSING OF VESSELS

Application

7. (1) Subject to subsection (2), this Part applies to every vessel principally maintained or operated in Canada that

(*a*) does not exceed 15 tons, register tonnage or, if it is a pleasure craft, does not exceed 20 tons, register tonnage; and

"(*b*) is equipped permanently or temporarily with a motor of 7.5 kW or with more than one motor, the aggregate power of which motors is 7.5 kW or more."

(2) This Part does not apply to a vessel described in subsection (1) that is

(*a*) registered under the Act;

(*b*) registered or licensed in accordance with the laws of another country and not principally maintained or operated in Canada;

(*c*) a life boat or other survival craft that is part of the equipment of a ship; or

(*d*) an amphibious vehicle for which a provincial automobile licence for highway travel is required.

Vessels to be Licensed

8. (1) No person shall operate a vessel unless a licence has been issued under this Part for that vessel.

(2) In any prosecution for a violation of subsection (1) it shall be presumed until otherwise proven that no licence has been issued under this Part for the vessel in respect of which the prosecution is brought.

APPENDICE II

CHAPITRE 1487

LOI SUR LA MARINE MARCHANDE DU CANADA

Règlement sur les petits bâtiments

RÈGLEMENT CONCERNANT LES PETITS BÂTIMENTS

Titre abrégé

1. Le présent règlement peut être cité sous le titre: *Règlement sur les petits bâtiments*.

Interprétation

2. (1) Dans le présent règlement,

« «embarcation de plaisance» désigne un bateau, un bâtiment ou tout autre genre d'embarcation nautique utilisé exclusivement à des fins d'agrément et ne transportant pas des personnes ou des marchandises dans un but lucratif ou moyennant un loyer ou une rémunération ou une autre forme de profit; (*pleasure craft*)»

PARTIE I

DÉLIVRANCE DE PERMIS

Application

7. (1) Sous réserve du paragraphe (2), la présente partie s'applique à tout bâtiment qui est surtout entretenu et utilisé au Canada,

a) dont la jauge au registre ne dépasse pas 15 tonneaux, ou qui est une embarcation de plaisance dont la jauge au registre ne dépasse pas 20 tonneaux; et

«*b*) qui est muni, en permanence ou provisoirement, d'un moteur de 7,5 kW ou de plusieurs moteurs d'une puissance globale de 7,5 kW ou plus»

(2) La présente partie ne s'applique pas à un bâtiment décrit au paragraphe (1) qui est

a) immatriculé en vertu de la Loi;

b) immatriculé ou muni d'un permis conformément aux lois d'un autre pays et qui n'est pas surtout entretenu et utilisé au Canada;

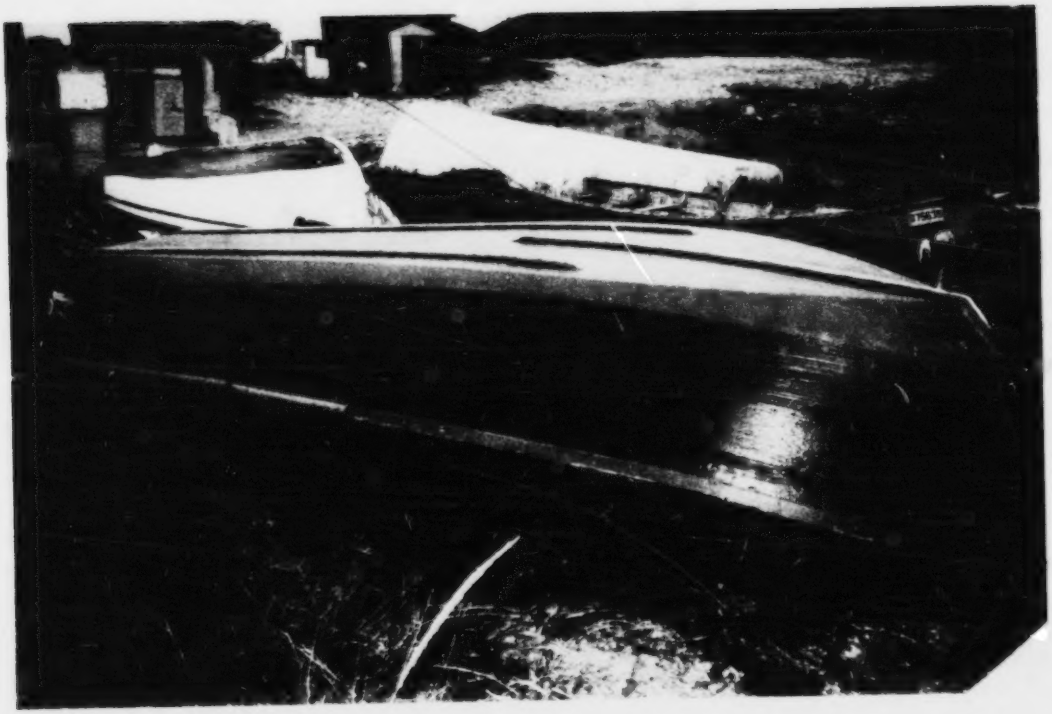
c) une embarcation ou un autre bateau de sauvetage faisant partie de l'équipement d'un navire; ou

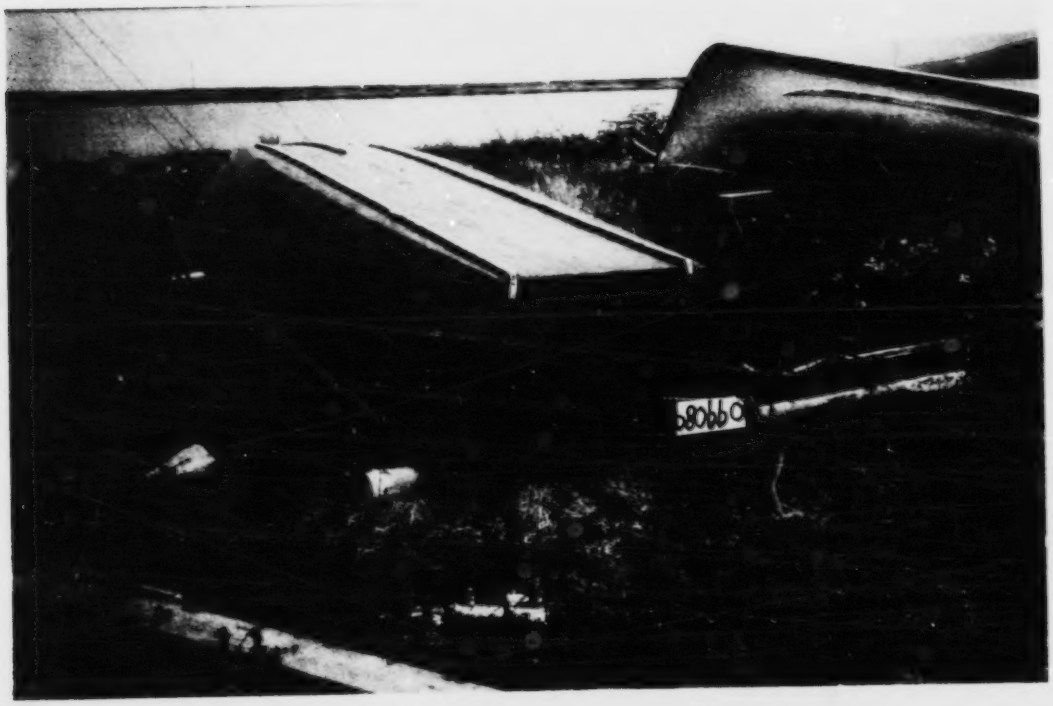
d) un véhicule amphibie tenu d'avoir un permis provincial de voiture automobile pour circuler sur les routes.

Permis obligatoire

8. (1) Nul ne peut utiliser un bâtiment à l'égard duquel le permis prévu par la présente partie n'a pas été délivré.

(2) Dans toute poursuite intentée en cas d'infraction au paragraphe (1), il sera supposé, jusqu'à preuve du contraire, qu'il n'a pas été délivré de permis conformément à la présente partie à l'égard du bâtiment au sujet duquel la poursuite est intentée.





"099089"